

REMARKS

In light of the above-amendment and remarks to follow, reconsideration and allowance of this application are requested.

In the final office action dated January 25, 2006, claims 7-11 and 13 have been rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,119,174 to Chen (Chen). Claims 7, 8 and 10-13 have been rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,874,910 to Sugimoto et al. (Sugimoto). Claim 14 have been rejected under 35 U.S.C. 103 as being unpatentable over either Chen or Sugimoto. Claims 8, 9 and 13 have been canceled and the subject matter recited therein has been incorporated into amended claim 7. Applicant respectfully traverses these rejections.

Contrary to the Examiner's assertion, neither Chen nor Sugimoto independently or in combination teaches or suggests a reflector unit "being formed independently of said printed circuit board," as required by amended claim 7. This advantageously improves the rigidity of the frame member and enables the reflector unit to be arranged relative to the LED element with accuracy and without a change over time. As admitted by the Examiner, applicant respectfully submits that Chen and Sugimoto describes forming the reflector directly on the printed circuit board by printed wiring technique (Final Office Action, pages 3-4).

Moreover, Chen's and Sugimoto's techniques are very costly and the reflector cannot be formed relative to the LED array with accuracy. Accordingly, a light source unit manufactured using Chen's or Sugimoto's technique has little commercial value.

Chen describes a PCB having a PCB base 12 and copper foils 21, 22, and a bowl-shaped reflector dish 14 formed from the copper foil 21 on top surface of the PCB base

12. (Figs. 2 and 3; col. 2, lines 12-31). Hence, the rigidity of the Chen's reflector relies on the printed circuit board and the accuracy of forming the reflecting surface depends upon the accuracy of forming the bowl-shaped cavities directly on the printed circuit board. Accordingly, applicant respectfully submits that it is very costly to realize high accuracy with the Chen's device and the size of the reflector (i.e., bow-shaped cavity) is limited by the thickness of the printed circuit board.

Similarly, Sugimoto describes utilizing a part of the insulating layer 913 formed on the surface of the printed circuit board by printed wiring technique as a reflector. Hence, the rigidity of the Sugimoto's reflector relies on the printed circuit board and the accuracy of the reflector depends upon the accuracy of forming the reflector directly on the printed circuit board. Accordingly, applicant respectfully submits that it is very costly to realize high accuracy with the Sugimoto's device.

Applicant respectfully submits that only the present invention teaches or suggests a reflector unit formed independently of the printed circuit board as required in amended claim 7.

Of course, a rejection based on 35 U.S.C. §102 as the present case, requires that the cited reference disclose each and every element covered by the claim. *Electro Medical Systems S.A. v. Cooper Life Sciences Inc.*, 32 U.S.P.Q.2d 1017, 1019 (Fed. Cir. 1994); *Lewmar Marine Inc. v. Bariant Inc.*, 3 U.S.P.Q.2d 1766, 1767-68 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988); *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 U.S.P.Q.2D 1051, 1053 (Fed. Cir.), *cert. denied*, 484 U.S. 827 (1987). The Federal Circuit has mandated that 35 U.S.C. 102 requires no less than "complete anticipation ... [a]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim." *Connell v. Sears, Roebuck & Co.*, 772 F.2d 1542, 1548, 220 U.S.P.Q. 193, 198 (Fed. Cir. 1983); *See also, Electro Medical Systems*, 32 U.S.P.Q. 2d at 1019; *Verdegaal Bros.*, 814 F.2d at 631.

Therefore, since Chen and Sugimoto independently or in combination fails to describe significant elements of recited by claim 7, it follows that Chen and Sugimoto independently or in combination does not anticipate or render obvious claim 7, or any of claims 10-12 and 14 dependent on claim 7.

Moreover, to establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); MPEP 2143. Here, the Examiner has failed to establish a *prima facie* case of obviousness because Chen and Sugimoto independently or in combination does not teach or suggest all the claim limitations of amended claim 1 and thus also included in dependent claims 2-4, 6 and 7.

On the basis of the above amendment and remarks, reconsideration and allowance of claims 7, 10-12 and 14 are respectfully requested.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-KIT 367-US (10402619) from which the undersigned is authorized to draw.

Respectfully submitted,

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